

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Morishita et al.

Application No. 09/869,475

Filed: June 28, 2001

For: GENE THERAPY FOR DIABETIC  
ISCHEMIC DISEASE

Examiner: Brian A. Whiteman

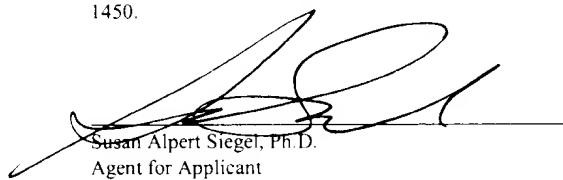
Date: August 13, 2003

Art Unit: 1635

Confirmation No.: 4309

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on August 13, 2003 as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

  
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**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97(c)**

Listed on the accompanying form PTO-1449 and enclosed herewith are two documents.

Applicants respectfully request that these documents be listed as references cited on the issued patent.

Published PCT Application No. WO 97/07824 is in Japanese, but includes an English abstract. This PCT publication is cumulative with U.S. Patent No. 6,248,722, which is already of record in the above-reference application.

This Information Disclosure Statement is being mailed before Applicants received a final action, a notice of allowance, or an action that otherwise closes prosecution in the referenced application. The filing of this Information Disclosure Statement should not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in § 1.56(b).

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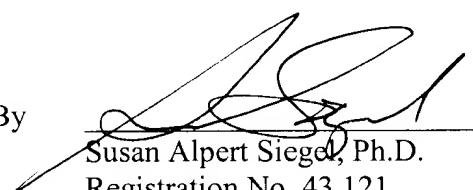
Submitted herewith is a check for \$180.00 as required by 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement in compliance with 1.97(c).

Please charge any additional fees which may be required in connection with filing this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

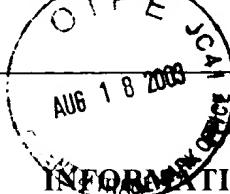
Respectfully submitted,

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**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

<b>Attorney Docket Number</b>	6235-59221
<b>Application Number</b>	09/869,475
<b>Filing Date</b>	June 28, 2001
<b>First Named Inventor</b>	Morishita
<b>Art Unit</b>	1635
<b>Examiner Name</b>	Brian A. Whiteman

**U.S. PATENT DOCUMENTS**

Examiner's Initials*	Cite No. (optional)	Number	Date	Name
		5,980,887	09 Nov 1999	Isner et al.

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials*	Cite No. (optional)	Number	Date	Country
		WO 97/07824	06 Mar 1997	WIPO/PCT

**OTHER DOCUMENTS**

Examiner's Initials*	Cite No. (optional)	Other Documents

EXAMINER SIGNATURE:	DATE CONSIDERED:
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\* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.